IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 843 of 1995

For Approval and Signature:

HONOURABLE MR.JUSTICE R.S.GARG

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SMT.HIRABEN LALJIBHAI PATEL - Petitioner(s)
Versus
STATE OF GUJARAT & 1 - Respondent(s)

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Appearance :
MR KG PANDIT for Petitioner(s) : 1, 1.2.1, 1.2.2, 1.2.3,1.2.4
MR LR PUJARI, AGP for Respondent(s) : 1 - 2.

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CORAM : HONOURABLE MR.JUSTICE R.S.GARG

Date : 06/12/2006

ORAL JUDGMENT

1. Shri K.G. Pandit, learned counsel for the petitioners. Mr. L.R. Pujari, learned AGP for the respondents.

2. Learned counsel for the petitioners submits that on 15.7.92 permission was granted in favour of Sursang Thakor to sell the land part of survey no. 795 of village Rajula in favour of Chandubhai Laljibhai [since deceased]. According to him, sale deed was obtained and thereafter, various permissions as fixed in the order dated 15.7.92 were obtained. He submits that the permission originally sought was for developing a godown, but subsequent thereto, the petitioner's predecessor-in-title wanted to use the land for residential purposes and to that effect, an application was made to the Collector. The Collector did not decide the application, but in the meanwhile, the petitioners made an application to the District Development Officer for grant of non-agricultural permission. The said permission was granted, but later on, order granting that permission was cancelled in the revision by the Secretary on the ground that it could not be so granted.

3. Learned counsel for the petitioners submits that the petitioners do not wish to use the land for any purpose other than raising a godown. He submits that in accordance with the directions issued by the Secretary, appropriate application would be made to

the authorities for grant of permission.

4. In view of the said submission and as the petitioners are ready to abide by the order passed by the revisional court, nothing further is required to be done in the matter. The petition stands disposed of. Rule is discharged accordingly. Interim relief, if any, is vacated. No costs.

[R.S. GARG, J.]

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